

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: William MacLure	Team: Squad #6	CCRB Case #: 201805848	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 07/06/2018 12:00 AM	Location of Incident: § 87(2)(b)	Precinct: 24	18 Mo. SOL 1/6/2020	EO SOL 1/6/2020	
Date/Time CV Reported Sat, 07/07/2018 12:13 AM	CV Reported At: Mayor's Office	How CV Reported: E-mail	Date/Time Received at CCRB Thu, 07/19/2018 11:35 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Erick Clarck	13492	952593	PSA 6
2. POM Rafael Aquino	28432	952417	PSA 6

Officer(s)	Allegation	Investigator Recommendation
A.POM Rafael Aquino	Force: Police Officer Rafael Aquino used physical force against § 87(2)(b)	§ 87(2)(b)
B.POM Erick Clarck	Force: Police Officer Erick Clarck used physical force against § 87(2)(b)	§ 87(2)(b)

Case Summary

On July 7, 2018, § 87(2)(b) filed this complaint online with the Mayor's Office, on behalf of his son, § 87(2)(b). § 87(2)(b) did not witness this incident. As § 87(2)(b) was arrested, this case is not mediation suitable. This complaint was received at the CCRB on July 19, 2018.

On July 25, 2018, a call was placed to § 87(2)(b) and a message was left with his wife, § 87(2)(b) asking him to call back. On July 25, 2018, a letter and an email were sent to § 87(2)(b) asking him to call. On July 26, 2018, § 87(2)(b) called and left a voice message providing an additional phone number. On July 26, 2018, a call was placed to § 87(2)(b) and he confirmed he did not witness this incident. § 87(2)(b) confirmed § 87(2)(b)'s contact information and provided an email for § 87(2)(b). § 87(2)(b) stated that § 87(2)(b) did not have a phone at the time. § 87(2)(b) also stated that § 87(2)(b) was unlikely to want to participate in the investigation because he feared retaliation from the police department.

On July 26, 2018, August 3, 2018, and August 9, 2018, three letters and three emails were sent to § 87(2)(b) asking him to call. On August 27, 2018, a call was placed to a number found on an I-Card for § 87(2)(b) and a female answered who did not know § 87(2)(b). On August 27, 2018, a LexisNexis search confirmed contact information for § 87(2)(b) and yielded an additional email address. A phone number was found associated with § 87(2)(b)'s address. On August 27, 2018, a letter was sent to § 87(2)(b) and an email was sent to the email found via LexisNexis. On August 27, 2018, a call was placed to § 87(2)(b) on the number found via LexisNexis, and his grandfather, § 87(2)(b) answered. § 87(2)(b) did not have a phone number for § 87(2)(b) but agreed to tell § 87(2)(b) to call back. On August 30, 2018, a call was placed to § 87(2)(b) and his grandmother, § 87(2)(b) stated that § 87(2)(b) did not want to speak with the investigator. It was explained that § 87(2)(b)'s participation was voluntary, but that he needed to speak with the investigator directly. § 87(2)(b) agreed to tell § 87(2)(b) to call back. Between September 7, 2018, and September 20, 2018, three additional calls were placed to § 87(2)(b) each time his grandparents answered, stated he was not home, and agreed to instruct him to call back. On September 13, 2018 an email was sent to § 87(2)(b) asking him to call, at the email address obtained via LexisNexis. To date § 87(2)(b) has not contacted the CCRB to discuss this complaint. None of the letters sent to § 87(2)(b) were returned to sender by the US Postal Service.

Video was received from NYCHA, but did not capture any FADO allegations.

§ 87(2)(g)

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date